


RASHID ASH-SHEIKH JUNAID,)
)
 Plaintiff(s),)
)
 vs.) Case No. 4:04CV57 CDP
)
 GARY KEMPKER, et al.,)
)
 Defendant(s).)

On **September 24, 2007**, this Court ordered plaintiff to show cause why the complaint against defendants **Donna Y. McCondichie and Paul Powell** should not be dismissed without prejudice for failure to serve process within 120 days. During the status conference held on October 12, 2007, Plaintiff's counsel agreed that these defendants should be dismissed without prejudice.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's complaint against defendant **Donna Y. McCondichie and Paul Powell** is **DISMISSED** without prejudice pursuant to Rule 4(m), Fed.R.Civ.P.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE